

**FUNERAL DIRECTORS EXAMINING BOARD MEETING  
MINUTES  
APRIL 20, 2004**

**PRESENT:** J. C. Frazier, Bonnie Gift, David Olson, Connie Ryan, and Rick Unbehaun

**EXCUSED:** Rosalie Murphy

**STAFF PRESENT:** Jerry Lowrie, Bureau Director, Jacquelyn Rothstein, Legal Counsel, Pat Schenck, Program Assistant and Division of Enforcement Staff.

**GUESTS:** Erin Longmire, Funeral Service Alliance of Wisconsin (FSA)  
Christine Jacoo, Funeral Service Alliance of Wisconsin (FSA)  
Mark Paget, Wisconsin Funeral Directors Association  
Mark Krause, Funeral Service Alliance of Wisconsin (FSA)

**CALL TO ORDER**

Rick Unbehaun, Chair, called the meeting to order at 9:35a.m. A quorum of five members was present.

**AGENDA**

**Additions to Agenda:**

- New Business addition: Reappointment of Advisor for Approval of Apprenticeships and Change of Ownerships on Establishments.

**MOTION:** J.C. Frazier moved, seconded by Bonnie Gift, to approve the agenda with addition. Motion carried unanimously.

**ELECTION OF OFFICERS FOR 2004.**

**MOTION:** Bonnie Gift moved, seconded by Connie Ryan, to nominate Rick Unbehaun as Chair Motion carried unanimously.

**MOTION:** Bonnie Gift moved, seconded by Connie Ryan, to J.C. Frazier as Vice Chair Motion carried unanimously.

**MOTION:** Connie Ryan moved, seconded by David Olsen, to nominate Bonnie Gift as Secretary. Motion carried unanimously.

### **APPOINT BOARD REPRESENTATIVES FOR SCREENING PANEL**

**MOTION:** Bonnie Gift moved, seconded by David Olsen, to nominate Rick Unbehaun and J. C. Frazier as Screening Panel Members. Motion carried unanimously.

### **APPROVAL OF MINUTES (12/02/03)**

**MOTION:** J. C. Frazier moved, seconded by Bonnie Gift, to approve the minutes of December 2, 2003 as written. Motion carried unanimously.

Jack Temby, Attorney, Division of Enforcement, Business Team, introduced two Attorneys Angela Arrington, and Mark Herman who will be working with the Business Boards in the Division of Enforcement.

### **ADMINISTRATIVE REPORT JERRY LOWRIE, BUREAU DIRECTOR BOARD ROSTER**

Mr. Lowrie introduced the new Board member David Olsen to the Board. Mr. Olsen gave a brief background on his experience and interests.

The Board discussed Rosalie A. Murphy's expiration date 7/1/2005 and whether it should be 2006. Connie Ryan and David Olsen's expiration dates were in question.

### **MEETING DATES FOR 2004**

The Board discussed the scheduled November 9, 2004 meeting date and noted that is was OK.

### **TO-DO LIST**

Noted.

### **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES**

Ruby Jefferson-Moore reported on the Summary Reports on Pending Court Cases, Disciplinary Cases, and Administrative Rules.

### **CHANGES TO BLUE LICENSES (INFORMATIONAL)**

On April 1, 2004, the blue renewal license form and the temporary license form will be changed to be the bottom third of a full-size sheet of paper. It will have horizontal and vertical perforations to remove it from the rest of the sheet. While the sizing will be a bit different for

the bigger part of the license, it will be quite close in shape to what we currently have and the wallet card will be the same size. Advantages are:

1. licenses can be printed from regular laser printers;
2. several security features in the paper the Department is purchasing, including the watermark on the back and some invisible fibers;
3. ability to print one mailing address at the top of the form and a different physical address on the actual license (This is great for establishments that cannot receive mail at the actual location); and
4. additional sequence numbering allowed above the mailing address, which will help in the machine inserting process at DOA at renewal time.

**BOARD EFFICIENCIES PRESENTATION – DEPUTY MARY SCHLAEFER; PATTY HOEFT, DIVISION ADMINISTRATOR BUSINESS SERVICES; AND SANDY ROWE, DIVISION ADMINISTRATOR OF DOE**

Deputy Secretary Sandra Rowe, Patricia Hoeft, Division Administrator gave a presentation on efficiency and effectiveness initiatives within the Department and the Division of Enforcement in areas of focus for each Division, purpose, challenges with limited staff, new rule making steps, complaint intake challenges, screening complaints, monitoring, and recommendations for improvements. Ms. Hoeft presented an overview of the Departments new website <http://drl.wi.gov>.

Deputy Secretary Sandra Rowe answered questions from the Board regarding Division of Enforcement issues.

**TRAVEL**  
**2004 NATIONAL FUNERAL DIRECTORS ASSOCIATION NFDA CONVENTION AND EXPO AT THE GAYLORD OPRYLAND RESORT AND CONVENTION CENTER IN NASHVILLE, TN, OCTOBER 17-20, 2004**

The Board will attend the International Conference in the Spring of 2005.

**LEGISLATIVE UPDATE/RECAP**  
**SB 274/AB 559 AUTHORIZING THE CREMATION OF HUMAN REMAINS**

The Board discussed legislative recap on legislation introduced during this past legislative session. Senate Bill 274 went through the Assembly but failed to pass in the Senate. The Majority leader would not move forward on the Bill as written. Prior to reintroducing this Bill in 2005, the Board will have to look at making changes. The Board discussed amending the authorizing agent provision or removing it altogether from the Bill. The Board will review this Bill and make revisions at the next regularly scheduled meeting on July 20, 2004.

**SB 539 FUNERAL ESTABLISHMENTS AND DIRECTORS**

Noted. No discussion.

**DISCUSSION OF EMBALMING IN PLACES OTHER THAN A LICENSED FUNERAL HOME-HFS 136.03(2).**

The rules coordinator reported that HFS 136.03(2) will go before the Clearinghouse and is moving forward. The effective date may be around November 2004. Ms. Rothstein reported that there should be a hearing scheduled on HFS 136.03(2) sometime in July and noted that the Board could track rules on website [adminrules.wi.gov](http://adminrules.wi.gov).

**CONTINUING EDUCATION (CE) ISSUES  
DISCUSSION OF QUALIFIED COURSES FOR CE CREDITS – RICK UNBEHAUN  
CE FOR MEETINGS AND SEMINARS CE OF OTHER STATES**

The Board discussed accepting approved CE from other states. The Board's decision is not to accept continuing education credits earned in another state. Candidates should obtain approval from the Board or the Department prior to attending an out-of-state seminar or meeting to see whether the programs meet the requirements of FD 4

**CE REQUEST – THEODORE D. CAYFORD**

**MOTION:** David Olsen moved, seconded by Connie Ryan, to Deny Theodore D. Cayford's request for continuing education. It does not meet the continuing education criteria in Chapter FD 4 of the Administrative Rules. Motion carried unanimously.

**EXAMINATION ISSUES  
CHEATING ON EXAMINATIONS RL 4.07**

Jerry Lowrie reported that the Department, using the powers of the Secretary, has created a universal cheating policy that will create consistency and efficiency regarding discipline. Mr. Lowrie asked for the Board member's comments regarding the Department's new cheating rule. Boards may use their discretion regarding discipline.

**PRACTICE NATIONAL BOARD EXAMINATION – COMPUTER BASED FORMAT**

The Practice National Board Examination is now available in a computer-based format. Applicants can access the exam on-line at [www.goamp.com](http://www.goamp.com), click on "Visit our on-line LXRStore." Once in the LXRStore, click on the "web tests" and then International Conference of Funeral Service Examining Boards. Applicants may choose either the Arts or Science exam and will see a brief description of the exam before they make a purchase. The fee is \$30.00 per exam and is payable only by credit card at this time. Students will need a valid e-mail address in order to access the exam. Applicants can contact ICFSEB at (479) 442-7076 if they have any questions.

**WFDA  
“YOUR FUTURE AS A FUNERAL SERVICE PROFESSIONAL” BROCHURE  
MARK PAGET LETTER**

The Board reviewed a letter of concern regarding Stratford Career Institute advertising a worthless course as a funeral service professional.

**ICFSEB – STRATEGIC PLAN-FYI**

Rick Unbehaun will be attending the International Conference of Funeral Services Examining Board on April 23-25, 2004 in St. Louis MO. and will give a report at the July 20, 2004 Board meeting.

**VISITORS COMMENTS**

Mr. Unbehaun, Chair, thanked the visitors for attending the Board meeting and asked for any comments or questions.

**BOARD MEMBER ACTIVITY**

The Board members reported on personal activities they have been involved in.

**PRACTICE QUESTIONS**

None

**NEW BUSINESS**

**MOTION:** Rick Unbehaun moved, seconded by Bonnie Gift, to appoint Connie Ryan to represent the Board to approve apprenticeships and change of ownerships of establishments. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF  
ENFORCEMENT OR ANY THAT MAY BE  
SUBMITTED AFTER MAILING OF THE AGENDA**

None.

**REPORT ON STATUS OF CASE CLOSINGS – JACK TEMBY**

No discussion.

**CLOSED SESSION**

**MOTION:** J. C. Frazier moved, seconded by David Wilson, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats. Roll Call Vote: Rick Unbehaun-yes; J.C. Frazier-yes; Bonnie Gift-yes; David Olson-yes; Connie Ryan-yes. Motion carried unanimously.

Open Session recessed at 11: 59 a.m.

The Board deliberated on the Monitoring Report, the Case Status Report and Case Closings, Proposed Stipulations, Proposed Administrative Warnings, and Pending Applications.

### **RECONVENE TO OPEN SESSION**

**MOTION** Bonnie Gift moved, seconded by David Olsen, to reconvene into Open Session at 12:25 p.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

#### **MONITORING REPORT 01 FDR 020 TODD MANN**

Sandy Myers reported on the request for a three-month stay of suspension in the matter concerning Todd Mann 01 FDR 020. The Board requests a personal appearance before the Board prior to granting another stay of suspension.

**MOTION** David Olsen moved, seconded by Bonnie Gift, to deny the stay of suspension and re-impose the suspension in the matter concerning **Todd Mann 01 FDR 020**. Motion carried unanimously.

### **CASE CLOSINGS**

#### **02 FDR 045**

Add Case **02 FDR 045** to the July 20, 2004 agenda.

### **ADMINISTRATIVE WARNING**

None.

### **PENDING APPLICATIONS**

None.

**ADJOURNMENT**

**MOTION:** Bonnie Gift moved, seconded by J. C. Frazier, to adjourn the meeting at 12:40 p.m. Motion carried unanimously.

**NEXT MEETING: JULY 20, 2004**

**Suggested Agenda Items for July 20, 2004:**

- Add case 02 FDR 045
- SB 274/AB 559 Cremation Bill revisited